

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Donald E. Weder	)	Atty. Dkt. No. 8404.025
		)	
Serial No.:	Not Yet Assigned	)	
		)	
Filed:	Herewith	)	
		)	
For:	CONTAINER FOR DECORATIVE GRASS	)	
		)	

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

**List of Sections Forming Part of This  
Information Disclosure Statement**

The following sections are being submitted for this Information Disclosure Statement:

1. ☒ Preliminary Statements
2. ☒ Forms PTO/SB/08A and 08B (formerly Form PTO-1449)
3. ☒ Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted
4. ☐ Copies of Listed Information Items Accompanying this Statement
5. ☒ Identification of Person(s) Making this Information Disclosure Statement

## **Section 1. Preliminary Statements**

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

## **Section 2. Forms PTO/SB/08A and 08B (formerly Form PTO-1449)**

- ☒ A completed Form PTO/SB/08A and/or Form PTO/SB/08B is attached hereto.

## **Section 3. Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted**

This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application Serial No. 10/315,426, filed on December 10, 2002 (date).

*(complete the following, if applicable)*

- ☐ This application also relies, under 35 U.S.C. 120, on the earlier filing date of prior application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_ (date).

The following references were submitted to, and/or cited by, the Office in the prior application(s) and therefore, are not required to be provided in this application:

## **Section 4. Copies of Listed Information Items Accompanying this Statement**

Legible copies of all items listed in Form PTO-1449 (Modified) accompany this information disclosure statement.

- ☐ Exception(s) to above:


- ☐ Items in prior application from which an earlier filing date is claimed for this application, as identified in Section 3.
- ☐ Cumulative patents or publications identified in Section 5.

**Section 5. Identification of Person(s) Making this INFORMATION DISCLOSURE STATEMENT**

The person making this statement is the agent/attorney who signs below on the basis of the information:

- ☐ supplied by the inventor(s)
- ☐ supplied by an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c)).
- ☒ in the agent/attorney's file

Respectfully submitted,



Nicholas D. Rouse, Reg. No. 36,992  
DUNLAP, CODDING & ROGERS, P.C.  
P.O. Box 16370  
Oklahoma City, Oklahoma 73113  
(405) 607-8600 - telephone  
(405) 607-8686 - telefax

Attorney for Applicant

Express Mail: EL988726015US  
 Date Deposited: November 18, 2003

Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Complete if Known	
Application Number	Not Yet Assigned
Filing Date	Herewith
First Named Inventor	Donald E. Weder
Group Art Unit	
Examiner Name	
Attorney Docket Number	8404.025

(use as many sheets as necessary)

### U. S. PATENT DOCUMENTS

EXAM INIT.	Cite No. 1	<u>U.S. PATENT NUMBER</u> Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		1,939,846		Fenton	12/1933	
		2,038,019		Wright	04/21/1936	
		2,087,309		Stumpf	07/1937	
		2,233,032		Robinson	02/25/1941	
		2,579,036		Edelman	12/1951	
		2,785,969		Clawson	12/19/1957	
		3,154,884		Amar et al.	11/03/1964	
		3,215,584		McConnell et al.	11/1965	
		3,534,852		Posner	10/1970	
		3,752,121		Brazzel	08/1973	
		3,861,581		Sellors	01/1975	
		3,958,365		Proctor	05/25/1976	
		3,961,444		Slaofe	06/08/1976	
		4,163,343		Schoenfield	08/07/1979	
		4,190,984		Muldner	03/04/1980	
		4,544,585		Brenner	10/1985	
		5,199,215		Lopez	04/06/1993	
		5,401,281		Chamoulaud	03/28/1995	
		5,411,167		Weder	05/1995	
		5,417,010		Ecer	05/23/1995	

## U. S. PATENT DOCUMENTS

EXAM INIT.	Cite No. 1	U.S. PATENT NUMBER Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		5,897,926		Mikulas	04/1999	
		5,906,280		Weder	05/25/1999	
		5,946,854		Guillemain et al.	09/07/1999	
		6,065,601		Weder	05/23/2000	

## FOREIGN PATENT DOCUMENTS

EXAM INIT.	Cite No. 1	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office 3	Number 4	Kind Code <sup>5</sup> (if known)				

**U.S. and Foreign:** <sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard St.3). <sup>4</sup> Form Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard St. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

## NON PATENT DOCUMENTS

Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published

		Brochure for "Roll Lawn"; Solutions, page 3
		"Idea Has Growth Potential"; The Saturday Sun; Linda A. Fox
		"Ready-To-Grow Perennial Flower Mats"; Supermarket Floral - July 1994; Pg. 28

**Non Patent Documents:** <sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature:

Date Considered:

EXAMINER: Initial if citation considered, whether or not citation is in conformance and not considered. Include copy of this form with next communication to applicant. \*\*Place of Publication refers to name of publication in which the information was published.